

Local Form 3015-1 (12/17)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA FOURTH DIVISION

In re:

GREGORY J GLOBENSKY

MELISSA A GLOBENSKY

Case no.: 18-42369

CHAPTER 13 PLAN ☒ Modified

Dated: October 23, 2018

Debtor.

In a joint case, debtor means debtors in this plan.**Part 1. NOTICE OF NON-STANDARD PLAN PROVISIONS, SECURED CLAIM LIMITATIONS, AND LIEN OR SECURITY INTEREST AVOIDANCE: Debtors must check the appropriate boxes below to state whether or not the plan includes each of the following items:**

1.1	A limit on the amount of a secured claim based on a valuation of the collateral for the claim, set out in Parts 9 or 17	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
1.2	Avoidance of a security interest or lien, set out in Part 17	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 17	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not included

**Part 2. DEBTOR'S PAYMENTS TO TRUSTEE**

- 2.1 As of the date of this plan, the debtor has paid the trustee \$0.00.
- 2.2 After the date of this plan, the debtor will pay the trustee \$326.00 per month for 2 months beginning in August 2018 for a total of \$652.00, then \$629.00 per month for 11 months beginning October 2018 for a total of \$6,919.00, then \$1,334.00 per month for 28 months beginning September 2019 for a total of \$37,352.00, for a grand total of \$44,923.00. The initial plan payment is due not later than 30 days after the order for relief.
- 2.3 The minimum plan length is ☒ 36 months or ☐ 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- 2.4 The debtor will also pay the trustee:
- 2.5 The debtor will pay the trustee a total of \$44,923.00 [lines 2.1 + 2.2 + 2.4]

**Part 3. PAYMENTS BY TRUSTEE** — The trustee will make payments only to creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$4,492.00 [line 2.5 x .10]

**Part 4. ADEQUATE PROTECTION PAYMENTS (§ 1326(a)(1)(C))** — The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

	Creditor	Monthly Payment	Number of Months	Total Payments
4.1	Wells Fargo Dealer Services	\$60.00	5	\$300.00
	TOTAL			\$300.00

**Part 5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365]** — The debtor assumes the following executory contracts or unexpired leases. Debtor will pay directly to creditors all payments that come due after the date the petition was filed. Cure provisions, if any, are set forth in Part 8.

	Creditor	Description of Property
	-NONE-	

**Part 6. CLAIMS NOT IN DEFAULT** — Payments on the following claims are current and the debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any.

	Creditor	Description of Property
	-NONE-	

**Part 7. HOME MORTGAGES IN DEFAULT (§§ 1322(b)(5) and 1322(e))** — The trustee will cure payment defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default.

	Creditor	Amount of default	Monthly payment	Beginning in month #	Number of payments	Total payments
7.1	WELLS FARGO HOME MORTGAGE	\$11,719.00	\$125/\$358/\$992	6/11/14	5/3/11	\$11,719.00
	TOTAL					\$11,719.00

**Part 8. CLAIMS IN DEFAULT (§§ 1322 (b)(3) and (5) and 1322(e)):** The trustee will cure payment defaults on the following claims as set forth below. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any. **All following entries are estimates, except for interest rate.**

	Creditor	Amount of default	Interest rate (if any)	Monthly payment	Beginning in month #	Number of payments	Total payments
	-NONE-						
	TOTAL						\$0.00

**Part 9. SECURED CLAIMS SUBJECT TO MODIFICATION (“CRAMDOW”) PURSUANT TO § 506 (§ 1325(a)(5)) (secured claim amounts in plan this Part control over any contrary amount except for secured claims of governmental units):** The trustee will pay, on account of the following allowed secured claims, the amount set forth in the “Total Payments” column below. Unless otherwise specified in Part 17, the creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor’s discharge, and if this case is dismissed or converted without completion of the plan, such liens shall also be retained by such holders to the extent recognized by applicable nonbankruptcy law. **Notwithstanding a creditor’s proof of claim filed before or after confirmation, the amount listed in this Part as a creditor’s secured claim binds the creditor pursuant to 11 U.S.C. § 1327 and confirmation of the plan is a determination of the creditor’s allowed secured claim.** For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with FRBP 3012(c) controls over any contrary amount.

	Creditor	Claim amount	Secured Claim	Interest Rate	Beginning in month #	(Monthly payment)	X Number of payments	= Plan payments	+ Adq. Pro. from Part 4	= Total payments
	-NONE-					\$				
	TOTAL									\$0.00

**Part 10. SECURED CLAIMS EXCLUDED FROM § 506 AND NOT SUBJECT TO MODIFICATION (“CRAMDOW”) (§ 1325) (910 vehicles and other things of value)(allowed filed secured claim controls over any contrary amount):** The trustee will pay in full the amount of the following allowed secured claims. **All following entries are estimates, except for interest rate.** The creditors will retain liens. Unmodified 910 claims not in default are addressed in Part 6. Unmodified 910 claims in default are addressed in Part 8.

	Creditor	Claim amount	Interest Rate	Beginning in month #	(Monthly payment)	X Number of payments	= Plan payments	+ Adq. Pro. from Part 4	= Total payments
10.1	Wells Fargo Dealer Services	\$5,695.00	6	6	\$208.00	30	\$6,140.00	\$300.00	\$6,440.00
	TOTAL								\$6,440.00

**Part 11. PRIORITY CLAIMS (not including claims under Part 12):** The trustee will pay in full all claims entitled to priority under § 507(a)(2) through (a)(10), including the following. **The amounts listed are estimates.** The trustee will pay the amounts actually allowed.

	Creditor	Estimated Claim	Monthly payment	Beginning in Month #	Number of payments	Total payments
11.1	Attorney Fees	\$2,974.00	\$233/\$506/\$233	1/3/6	2/3/5	\$2,974.00
11.2	Internal Revenue Service	\$3,226.00	pro rata			\$3,226.00
11.3	Minnesota Department of Revenue		pro rata			
	TOTAL					\$6,200.00

**Part 12. DOMESTIC SUPPORT OBLIGATION CLAIMS:** The trustee will pay in full all domestic support obligation claims entitled to priority under § 507(a)(1), including the following. **The amounts listed are estimates.** The trustee will pay the amounts actually allowed.

	Creditor	Estimated Claim	Monthly payment	Beginning in Month #	Number of payments	Total payments
	-NONE-					
	TOTAL					\$0.00

**Part 13. SEPARATE CLASSES OF UNSECURED CLAIMS** — In addition to the class of unsecured claims specified in Part 14, there shall be separate classes of non-priority unsecured creditors described as follows: -NONE-. The trustee will pay the allowed claims of the following creditors. **All entries below are estimates.**

Creditor	Interest Rate (if any)	Claim Amount	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
-NONE-						

	Creditor	Interest Rate (if any)	Claim Amount	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
	TOTAL						\$0.00

**Part 14. TIMELY FILED UNSECURED CLAIMS** — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under Parts 3, 7, 8, 9, 10, 11, 12 and 13 their pro rata share of approximately \$16,072.00 [line 2.5 minus totals in Parts 3, 7, 8, 9, 10, 11, 12 and 13].

14.1 The debtor estimates that the total unsecured claims held by creditors listed in Part 9 are \$0.00 .

14.2 The debtor estimates that the debtor's total unsecured claims (excluding those in Part 9 and 13) are \$52,104.00 .

14.3 Total estimated unsecured claims are \$52,104.00 [lines 14.1 + 14.2].

**Part 15. TARDILY-FILED UNSECURED CREDITORS** — All money paid by the debtor to the trustee under Part 2, but not distributed by the trustee under Parts 3, 4, 7, 8, 9, 10, 11, 12, 13 and 14, will be paid to holders of allowed nonpriority unsecured claims for which proofs of claim were tardily filed.

**Part 16. SURRENDER OF COLLATERAL AND REQUEST FOR TERMINATION OF STAY:** The debtor has surrendered or will surrender the following property to the creditor. The debtor requests that the stays under §§ 362(a) and 1301(a) be terminated as to the surrendered collateral upon confirmation of the plan.

	Creditor	Description of Property
16.1	ELDORADO RESORTS CORP	GRANDVIEW LODGE AT LAS VEGAS A TIMESHARE RESOORT 9940 LAS VEGAS BLVD, S LAS VEGAS, NV 89183 CLARK County - Timeshare

**Part 17. NONSTANDARD PROVISIONS:** The Trustee may distribute additional sums not expressly provided for herein at the trustee's discretion. Any nonstandard provisions, as defined in FRBP 3015(c), must be in this Part. Any nonstandard provision placed elsewhere in the plan is void. Any request by the debtor to modify a claim secured only by a security interest in real property that is the debtor's principal residence must be listed in this Part and the debtor must bring a motion to determine the value of the secured claim pursuant to Local Rule 3012-1(a).

17.1	Property/Collateral in Part 16 shall be surrendered to Creditor. Any deficiency allowed pursuant to creditor's non-bankruptcy rights shall be treated as a general unsecured claim and shall be subject to discharge pursuant to 11 USC 1328.
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Class of Payment		Amount to be paid
Payments by trustee's [Part 3]	\$	4,492.00
Home Mortgage Defaults [Part 7]	\$	11,719.00
Claims in Default [Part 8]	\$	0.00
Secured claims subject to modification (cramdown) pursuant to § 506 [Part 9]	\$	0.00
Secured claims excluded from § 506 [Part 10]	\$	6,440.00
Priority Claims [Part 11]	\$	6,200.00
Domestic support obligation claims [Part 12]	\$	
Separate classes of unsecured claims [Part 13]	\$	0.00
Timely filed unsecured claims [Part 14]	\$	16,072.00
TOTAL (must equal line 2.5)	\$	44,923.00

Certification regarding nonstandard provisions:

I certify that this plan contains no nonstandard provision except as placed in Part 17.

Signed: /s/ Robert J. Hoglund  
Robert J. Hoglund 210997  
Attorney for debtor or debtor if pro se

Signed: /s/ GREGORY J GLOBENSKY  
GREGORY J GLOBENSKY  
Debtor 1

Signed: /s/ MELISSA A GLOBENSKY  
MELISSA A GLOBENSKY  
Debtor 2 (if joint case)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In Re: Bkry Case No: 18-42369  
Gregory J Globensky Chapter 13  
and  
Melissa A Globensky  
Debtor(s).

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**NOTICE OF FILING MODIFIED CHAPTER 13 PLAN PRIOR TO CONFIRMATION**

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TO: ALL PARTIES IN INTEREST

PLEASE TAKE NOTICE that the debtor(s), pursuant to Local Rule 3015-2(a) have filed the attached modified Chapter 13 Plan. The Hearing on Confirmation of the Modified Plan is scheduled for December 6, 2018 at 10:30 a.m. in United States Bankruptcy Court, Courtroom 7 West, Seventh Floor, 300 South Fourth Street, Minneapolis, Minnesota.

Any objection to this Modified Plan must be served by delivery not later than 24 hours prior to the time and date set for the confirmation hearing or mailed not later than three days prior to the date set for the confirmation hearing.

Dated: November 6, 2018

HOGLUND, CHWIALKOWSKI & MROZIK, PLLC

Signed: /e/ Robert J. Hoglund

Robert J. Hoglund #210997

Keith Chwialkowski #210134

Jeffrey J. Bursell #293362

Kristen M. Whelchel #339866

Attorney for Debtor(s)

1781 West County Road B

P.O. Box 130938

Roseville, Minnesota 55113

Telephone Number: (651) 628-9929

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In Re:

Bkry Case No: 18-42369

Gregory J Globensky

Chapter 13

and

Melissa A Globensky

Debtor(s).

**UNSWORN CERTIFICATE  
OF SERVICE**

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I, Melissa Matthews, employed by Hoglund, Chwialkowski & Mrozik, PLLC, attorneys licensed to practice law in this Court, with office address of 1781 West County Road B, Roseville, Minnesota 55113, declare that on November 6, 2018, I served the Modified Chapter 13 Plan and Notice of Filing Modified Plan Prior to Confirmation to each of the entities named below by first class mail postage prepaid and to any entities who are Filing Users, by automatic e-mail notification pursuant to the Electronic Case Filing System:

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**The following were served by certified mail:**

**Wells Fargo**

Timothy Sloan

420 Montgomery Street

San Francisco, CA 94104

**Mr. Timothy J. Sloan is listed as the Chief Executive Officer and President of Wells Fargo Bank N.A. as obtained through [www.wellsfargo.com](http://www.wellsfargo.com) on Nov. 7, 2017.**

**The following were served via first class mail postage prepaid:**

Gregory & Melissa Globensky

18622 Alamo Street

East Bethel, MN 55092

And to all creditors/parties in interest listed on matrix (see attached)

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I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: November 6, 2018

Signed: Melissa Matthews

Paralegal

Label Matrix for local noticing  
0864-4  
Case 18-42369  
District of Minnesota  
Minneapolis  
Mon Oct 22 07:42:23 CDT 2018

Wells Fargo Bank, N.A.  
c/o McCalla, Raymer, et al.  
Bankruptcy Department  
1544 Old Alabama Road  
Roswell, GA 30076-2102

Minneapolis  
301 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415-1320

ACCOUNTS RECEIVABLE SERVICES LLC  
6160 SUMMIT DR N STE 420  
BROOKLYN CENTER MN 55430-2149

ALLINA HEALTH  
2925 CHICAGO AVE  
MINNEAPOLIS MN 55407-1321

AMEX  
CORRESPONDENCE/BANKRUPTCY  
PO BOX 981540  
EL PASO TX 79998-1540

American Express National Bank  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

ELDORADO RESORTS CORP  
2150 W JO RAE AVE  
LAS VEGAS NV 89183-4018

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

IRS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

LEPAGE & SONS  
23602 UNIVERSITY AVE NW  
BETHEL MN 55005-9853

MEMBER HSBC GROUP/BENEFICIAL  
ATTN: CML CUSTOMER RESOLUTION DEPARTMENT  
1421 WEST SHURE DRIVE, SUITE 100  
ARLINGTON HEIGHTS IL 60004-7818

MIDLAND FUNDING LLC  
8875 AERO DR STE 200  
SAN DIEGO CA 92123-2255

MN DEPARTMENT OF REVENUE  
BANKRUPTCY SECTION  
PO BOX 64447  
SAINT PAUL MN 55164-0447

MN DEPT OF REVENUE  
551 BKCY SECTION CEU DEPT  
PO BOX 64447  
SAINT PAUL MN 55164-0447

MOHELA/DEPT OF ED  
633 SPIRIT DR  
CHESTERFIELD MO 63005-1243

SHAPIRO & ZIELKE LLP  
ATTORNEYS AT LAW  
12550 W FRONTAGE RD STE 200  
BURNSVILLE MN 55337-2475

STATE FARM INSURANCE COMPANY  
8500 STATE FARM WAY  
WOODBURY MN 55125-4879

US Dept of EducationMOHELA  
633 Spirit Dr  
Chesterfield, MO 63005-1243

US Trustee  
1015 US Courthouse  
300 S 4th St  
Minneapolis, MN 55415-3070

(p)WELLS FARGO BANK NA  
1 HOME CAMPUS  
MAC X2303-01A  
DES MOINES IA 50328-0001

WELLS FARGO DEALER SERVICES  
ATTN: BANKRUPTCY  
PO BOX 19657  
IRVINE CA 92623-9657

WELLS FARGO HOME MOR  
ATTN: BANKRUPTCY DEPARTMENT  
8480 STAGECOACH CIR.  
FREDERICK MD 21701-4747

Wells Fargo Bank N.A., d/b/a Wells Fargo Aut  
PO Box 19657  
Irvine CA 92623-9657

Wells Fargo Bank, N.A.  
Default Document Processing  
N9286-01Y  
1000 Blue Gentian Road  
Eagan, MN 55121-7700

Wells Fargo Bank, N.A.  
Small Business Lending Division  
P.O. Box 29482  
Phoenix, AZ 85038-9482

Wells Fargo Bank, N.A., Wells Fargo Card Ser  
PO Box 10438, MAC F8235-02F  
Des Moines, IA 50306-0438

GREGORY J GLOBENSKY  
18622 ALAMO ST  
EAST BETHEL, MN 55092-8503

Gregory A Burrell  
100 South Fifth Street  
Suite 480  
Minneapolis, MN 55402-1250

MELISSA A GLOBENSKY  
18622 ALAMO ST  
EAST BETHEL, MN 55092-8503

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Bankruptcy Case Number: 17-31412

Gregory J. Globensky,

and

**SIGNATURE DECLARATION**

Melissa A. Globensky,

Debtor(s).

- ☐ PETITION, SCHEDULES & STATEMENTS  
☐ CHAPTER 13 PLAN  
☐ SCHEDULES & STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
☒ MODIFIED CHAPTER 13 PLAN/MOTION FOR HEARING  
☐ OTHER:

I (we), the undersigned debtor(s) or authorized representative of the debtor, make the following declarations under penalty of perjury:

1. The information I have given my attorney for the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
2. The Social Security Number or Tax Identification Number I have given to my attorney for entry into the court's Case Management/Electronic Case Filing (CM/ECF) system as a part of the electronic commencement of the above-references case is true and correct;
3. **[individual debtors only]** If no Social Security Number was provided as described in paragraph 2 above, it is because I do not have a Social Security Number;
4. I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration;
5. My electronic signature contained on the documents filed with the Bankruptcy Court has the same effect as if it were my original signature on those documents; and
6. **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date:

10-31-18

Signature of Debtor 1 or Authorized Individual

Gregory J. Globensky

Printed Name of Debtor 1 or Authorized Individual

Signature of Debtor 2

Melissa A. Globensky

Printed Name of Debtor 2

HOGLUND, CHWIALKOWSKI & MROZIK, PLLC

Signed: Robert J. Hoglund

Robert J. Hoglund #210997

1781 West County Road B

P.O. Box 130938

Roseville, Minnesota 55113

Telephone Number: (651) 628-9929